

In Re: Methyl Tertiary Butyl Ether : Master File C.A. No.  
("MTBE") Products Liability : 00 Civ. 1898 (SAS)  
Litigation : MDL 1358

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This document pertains to: :  
City of New York v. Amerada Hess, :  
et al., :  
No. 04 Civ. 3417 :  
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JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

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The Court having reviewed the objections to designated portions of the deposition of Curtis C. Stanley, February 8, 2000, August 2, 2000, and October 3, 2000, the objections are determined as follows, except insofar as any relevance objections not explicitly ruled on are reserved for trial:

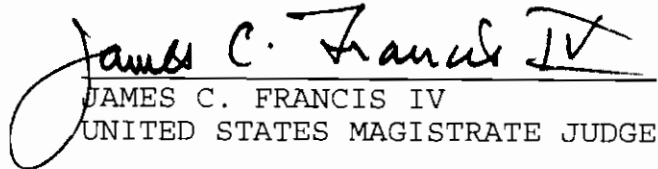
<u>Tab</u>	<u>Pages/Lines</u>	<u>Ruling</u>
(2/8/00)		
1	128:14-128:24	Relevance objection reserved for trial.
(8/2/00)		
1	65:17-66:16	Overruled; the document is offered not for the truth but as evidence of information available in the industry.
2	70:18-70:19	Reserved for trial.
3	72:19-73:07	Overruled; the witness authored the document and is qualified to offer his opinion.
4	117:04-118:14	Sustained; the witness is simply reading from a document he does not appear to be familiar with.
5	119:22-121:02	Overruled; the document is authenticated and a foundation is provided after the witness' recollection is refreshed, <u>see</u> 123:05-125:12.

6	121:03-121:16	Overruled; <u>see</u> ruling for Tab 5.
7	123:05-125:12	Overruled; <u>see</u> ruling for Tab 5.
8	128:07-131:08	Overruled; the witness authored the document, which reflects information within his personal knowledge.
9	143:14-145:11	Overruled; <u>see</u> ruling for Tab 8.

(10/3/00)

1	367:16-368:06	Sustained; vague, ambiguous, and lacks foundation.
2	368:14-368:23	Overruled; the witness is testifying from his personal knowledge.
3	374:15-374:25	Reserved for trial.
4	380:04-380:07	Overruled; <u>see</u> ruling for Tab 2.
5	460:10-460:12 460:19-461:04	Overruled; the witness received the document which is admissible as a business record.
6	461:11-461:22	Overruled; <u>see</u> ruling for Tab 5.
7	471:01-471:21	Overruled; <u>see</u> ruling for Tab 5; in addition, part of document was authored by the witness.
8	486:03-486:20	Overruled; <u>see</u> ruling for Tab 7; the witness is testifying from personal knowledge regarding information available in the industry.
9	489:03-489:12	Sustained; no foundation.
10	495:11-495:20	Overruled; the witness authored the document and had sufficient personal knowledge of the subject discussed.
11	496:04-497:14	Overruled; <u>see</u> ruling for Tab 10.
12	507:16-508:09	Overruled; the witness is qualified to offer an opinion and is indicating his historical view based on information then known to him.
13	533:11-533:13	Overruled; the witness is offering general information within his experience.

SO ORDERED.

  
JAMES C. FRANCIS IV  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
July 31, 2009

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